

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of

Amendment of Parts 1, 21, 73, 74
and 101 of the Commission's
Rules to Facilitate the Provision
of Fixed and Mobile Broadband
Access, Educational and Other
Advanced Services in the 2150-
2162 and 2500-2690 MHz Bands

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WT Docket No. 03-66
RM-10586

To: The Wireless Telecommunications Bureau

COMMENTS IN SUPPORT OF PETITION FOR RECONSIDERATION

ComSpec Corporation ("ComSpec") hereby submits its Comments supporting the Petition For Reconsideration filed 7 April 2003 on behalf of the Wireless Communications Association International ("WCA") regarding the above-referenced Notice of Proposed Rulemaking and Memorandum Opinion and Order ("NPRM/MO&O").

ComSpec is a telecommunications consulting firm with significant experience in the interference studies and application process required by the Commission's Rules for the authorization of MMDS and ITFS facilities. Over the past ten years, ComSpec has been involved with the development of coordinated traditional and two-way MMDS and ITFS stations in over 100 markets in the United States.

The WCA Petition requests clarification of the NPRM/MO&O regarding a freeze on applications for new or modified stations within existing protected service areas. In its Petition, WCA *"urges the Commission to reconsider and reverse the decision to suspend for the duration of this proceeding the filing of applications for any new or modified MDS and ITFS facilities, and to instead limit its freeze to applications proposing new ITFS stations in areas that are outside the protected service areas of currently licensed or applied-for stations."* The continued development of broadband systems under the current Rules in existing protected service areas will not undermine the Commission's objectives in the current proceeding.

The Petition calls to the Commission's attention that a small but not insignificant number of system operators have chosen to continue system development to serve the public under the current Rules. These operators have significant dollars invested in their systems and cannot wait for the new procedures to be determined and take effect. ComSpec is currently involved with several clients in the process of making


applications for additional two-way facilities serving rural markets within their existing authorized protected service area or BTA boundaries. A Commission freeze on accepting applications will stall the deployment of six such systems where the requisite planning and interference studies have been completed and are being prepared for final submission to the Commission. Additionally, we are assisting clients with the initial planning stages for two other future rural system deployments that also would be suspended if a freeze on MDS and ITFS system expansion applications is imposed.

While ComSpec recognizes the Commission's authority to suspend the filing of applications for new or modified facilities, we believe the public interest would best be served by allowing the continued development of existing broadband wireless operations in the MDS and ITFS spectrum, under the existing Rules, during the rulemaking process. As outlined in the WCA Petition, continued development of broadband systems under the current Rules in existing protected service areas will not undermine the objectives of the current proceeding. We agree that applications to construct and operate new ITFS stations in unassigned spectrum should continue to be suspended until the conclusion of this proceeding.

For these reasons, ComSpec strongly urges the Commission to expeditiously grant the WCA Petition for Reconsideration.

Respectfully submitted,

ComSpec Corporation

By: 
David R. Hollowell
President
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10 April 2003

CERTIFICATE OF SERVICE

I, Robert C. Fulkerson, hereby certify that copies of the foregoing comments in support of Petition for Reconsideration have been sent via First Class US Mail this 10th day of April, 2003, to the following:

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